

Appl. No. : 09/910,422  
Filed : July 20, 2001

### REMARKS

In the February 8, 2005 Office Action, the Examiner objects to informalities in Claims 14-16; rejects Claims 26 and 27 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,563,856 to O'Shea, et al. ("O'Shea"), in view of U.S. Patent No. 5,870,047 to Piesinger, et al ("Piesinger"); objects to Claims 28 and 29, but states that Claims 28 and 29 would be allowable if rewritten in independent form; and allows Claims 1-13, 17-25, and 30-34. Applicants request reconsideration of the objections and the rejections in view of the foregoing amendments and the following comments.

#### Discussion of Claims 14-16

The Examiner objects to Claims 14-16, stating that the phrase "post-conditioning" should be changed to "composite waveform decresting." Applicants thank the Examiner for spotting the typographical error, and Applicants have amended Claims 14-16. Accordingly, Applicants request the Examiner to withdraw the objections over Claims 14-16.

#### Discussion of Claims 26 and 27

The Examiner rejects Claims 26 and 27 under 35 U.S.C. § 103(a) as obvious over O'Shea in view of Piesinger. Applicants have amended Claim 26 to explicitly recite in the body "pulse-shaping, upconverting, and combining the plurality of data streams to a composite data stream such that a reduction in the probability of the alignment reduces a probability of large signal crest in the composite data stream." Applicants submit that Claim 26 as amended is not taught or suggested by the prior art, and Applicants request allowance of the same.

In view of the patentability of amended Claim 26, Applicants respectfully submit that Claim 27 is likewise patentable and request allowance of the same.

#### Discussion of Claims 28 and 29

The Examiner objects to Claims 28 and 29, but states that Claims 28 and 29 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have amended Claims 28 and 29 in independent form including all of the limitations of prior claim 26. Applicants respectfully submit that Claims 28 and 29 are now in allowable form and request allowance of the same.

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**Discussion of Other Amendments to Claims 4, 7, 9, 12, 22, and 30**

Applicants have amended Claims 4, 7, 9, 12, 22, and 30 as follows. Claim 4 has been amended to delete the article "a" to fix grammar. Claim 7 has been amended to add the phrase "the post-conditioning circuit" before "further comprising." Claim 9 has been amended to add the word "form" to fix grammar. Claim 12 has been amended to delete the article "a" to fix grammar, and have replaced another article "a" with "the" to correct antecedent basis. Claim 22 has been amended to add the word "form" to fix grammar. Claim 30 has been amended to add the word "form" to fix grammar.

**Summary**

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner to withdraw the objections to Claims 14-16, 28, and 29 and the rejections of Claims 26 and 27 under 35 U.S.C. § 103(a). Applicants further request the Examiner to allow Claims 1-34 and to pass the present application to the issue process.

If there is any further impediment to the prompt allowance of the present application, Applicants request the Examiner to call the undersigned attorney of record at 310-407-3466 or at the telephone number listed below to resolve any such impediment.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 9, 2005

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